

STATE OF INDIANA)
)SS:
COUNTY OF MARION)

IN THE MARION SUPERIOR COURT 13

CASE NO. 49D13-1009-ES-040244

IN RE THE MATTER OF THE)
ADMINISTRATION OF THE ESTATE OF)
AL KATZ, DECEASED)

Hon. James A. Joven, Special Judge

**CREDITOR'S OBJECTION TO ROBERT W. YORK'S PROPOSED ORDER
SETTING HEARING ON RULES TO SHOW CAUSE AND MOTION TO STRIKE**

Now comes Lawrence T. Newman, *Pro Se*, and for his Creditor's Objection to Robert W. York's Proposed Order Setting Hearing on Rules To Show Cause and Motion To Strike, states as follows:

1. On July 28, 2017, successor Personal Representative and Estate attorney Robert W. York filed his proposed Order Setting Hearing on Rules To Show Cause. For the reasons stated herein, this Court should disregard said proposed Order and strike said proposed Order from the record of this cause.

2. In this respect, the fundamental basis for each of the Rules To Show Cause was fabrication, lies, and fraud. In fact, there is no evidence to support either such Rule.

3. Sworn testimony on July 21, 2017, by Matthew Evans disproves York's fraudulent claim to this Court in his Motion for Rule To Show Cause that Evans was unwilling to buy the Estate's real property because of actions by the Newmans. With respect to York's Motion for Rule To Show Cause fraudulently claiming that Dr. Beverly Newman did not file a second Final Accounting with this Court, its own docket definitively disproves York's fraudulent claim; yet, York has been permitted to persist in his persecution of Dr. Newman with his Motion for Rule To Show Cause despite the facts

that: this Court's docket definitively disproves York's fraudulent claim in his Motion; York himself has never filed any accounting, in gross violation of Indiana probate law, with this Court; York's ostensible purpose in his Motion for Rule To Show Cause is to have this Court "attach" Dr. Newman, in order to risk her health and likely kill her due to her life-threatening incurable medical disabilities documented to this Court by medical opinions filed in this Court years ago, copies of which medical opinions are attached hereto as **Exhibit 1** and as **Exhibit 2**.

4. Significantly, York's glaring disability discrimination in this case has been permitted to persist for years in gross violation of Indiana disability rights laws, federal disability rights laws, and the Indiana Rules of Professional Conduct, for which habitual violations of laws and rules this Court has never sanctioned York, condoning his habitual disability discrimination. Likewise, for the years of his appointment, York has habitually refused to address Dr. Newman by her proper title, Dr. Newman, refusing to recognize her esteemed academic achievements as a woman, who graduated at the top of her doctoral class as was the commencement speaker for the Indiana University School of Education. For years, York has flagrantly referred to Dr. Newman simply as "Beverly," demonstrating his gender discrimination against this accomplished female, who also graduated in the top of her class from the Lawrence Township Schools, with which York and this Court are both very familiar.

5. The fact that these Rules To Show Cause are still before this Court after this Court has received ample documentation of York's felonies in this case is unthinkable to the public; for it is York himself who irrefutably has violated the Order of this Court appointing him as Personal Representative and attorney of the Estate of Al

Katz on January 12, 2015, subject to, at all points in time, strict obedience to the laws of the State of Indiana, the Constitution of the State of Indiana, the laws of the United States of America, and the Constitution of the United States of America, which laws and Constitutions York has violated, including, *inter alia*, his sworn fiduciary duties to protect the interests of Estate creditor Lawrence T Newman. In this respect, York's habitual actions in this case have sought to disenfranchise and defraud creditor Lawrence Newman, in vile violation of this Court's Order appointing York to protect the interests of Al Katz's Estate and its creditors.

6. Rather than obey the Order of this Court appointing York as Estate Personal Representative and attorney, York has, since his appointment beginning in January 2015, conspired with the Florida attorney representing Lawrence and Dr. Beverly Newman and with multiple other Florida-licensed attorneys to irreparably harm the interests and reputations of Lawrence Newman and his family through a multi-pronged interstate criminal conspiracy beginning in January 2015 and continuing through the present, as set forth below.

**THE TWO RULES TO SHOW CAUSE WERE ISSUED BY A
BIASED JUDGE AND SHOULD BE DISREGARDED
AND VACATED BY THE CURRENT JUDGE.**

7. York's proposed Order concerns two Rules To Show Cause issued against Lawrence Newman and/or Dr. Beverly Newman by predecessor Special Judge Louis Rosenberg. Judge Louis Rosenberg subsequently recused himself as judge in this case for cause on July 13, 2016, due to his demonstrated and documented bias against the Estate's primary creditor, Lawrence T. Newman. Because said two Rules To Show Cause were issued by a biased judge, they should both be disregarded and vacated by the

current Judge in this cause. In this respect, it is critically important that the respective two Motions for Rule To Show Cause and the proposed Rules To Show Cause thereto were drafted and presented to Judge Rosenberg by York, who:

(1) was actively involved in an interstate criminal conspiracy against the interests of the Estate and of the Newmans during the time period York drafted and filed his subject two Motions for Rule To Show Cause and the proposed Rules To Show Cause thereto ultimately signed by Judge Rosenberg;

(2) was sworn to protect the interests of creditor Lawrence T. Newman, but has broken his oath and breached his fiduciary duties thereto in conspiracy with Florida counsels including Michael G. Brown, counsel for Lawrence and Dr. Beverly Newman;

(3) has a documented animus against the Newmans since 2005 manifesting itself in whistleblower retaliation against them as mandatory reporters of child abuse;

(4) has repeatedly since being appointed as successor Personal Representative and Estate attorney demonstrated documented bias against the Newmans; and

(5) has from the inception of his appointment in January 2015 voluntarily conspired with the Newmans' Florida attorney (for five separate cases) and other Florida attorneys in a criminal conspiracy in violation of **18 U.S.C. § 1343, Fraud by Wire, Radio, or Television**, by taking actions to “devise or intend to devise any scheme or artifice to defraud by transmitting by means of wire communication in interstate commerce any writings or signals for the purpose of

executing said scheme or artifice,” as has been documented to this Court in Lawrence T. Newman’s “Supplement to Memorandum of Law Setting Forth Violations of Fiduciary Duties by Successor Personal Representative and Estate Attorney Robert W. York and Consequent Actions Required by Law,” filed on February 10, 2017, which Supplement which is fully incorporated herein, and Lawrence Newman’s “Motion for Judge Joven To Refer Successor Personal Representative and Estate Attorney Robert W. York to Authorities for Unlicensed Practice of Law and for Conspiracy to Defraud,” filed on July 25, 2017 (which Exhibits attached thereto document the use of interstate communications systems in a “scheme ... to defraud” Estate creditor Lawrence Newman and the Estate of Al Katz.

8. York’s conspiracy against the Newmans, which he masterminded and continues to implement in violation of state and federal laws including, *inter alia*, witness tampering (intimidation of witnesses Lawrence Newman and Dr. Beverly Newman), includes at least all of the following:

- 1) conspiracy with Florida opposing counsels to have all of the Estate’s Florida damage lawsuits terminated by action of this Court (consequent to May 11, 2015, hearing held by Judge Louis Rosenberg, in which four Florida opposing counsels testified at length representing their respective Florida clients at York’s behest), to the gross detriment of Lawrence Newman and his family and to the Estate of Al Katz;

- 2) relentless defamation against the Newmans;

3) extortion of money from the Newmans resulting from York's fraudulent action against Dr. Beverly Newman's fiduciary bond;

4) extortion of money from the Newmans to pay rent to the Heritage Village West Condominium Association through a legal action filed by the Association's Florida attorney, Scott Petersen, with whom York conspired against the Newmans over the course of at least many months;

5) conspiracy with Florida attorney Scott Petersen to unlawfully evict the Newmans from Al Katz's Florida condominium, over which out-of-state real property York has no legal authority;

6) conspiracy with Florida attorney Scott Petersen to foreclose on Al Katz's Florida condominium, over which out-of-state real property York has no legal authority;

7) filing groundless Motions for Rule To Show Cause against Dr. Beverly Newman;

8) relentless attacks against Dr. Beverly Newman based upon her disabilities and continuing threats to have this Court force her to travel from Florida to Indianapolis for court hearings against medical opinions to the contrary with the intended end result to cause Dr. Beverly Newman severe or lethal medical consequences due to her incurable long-term progressive life-threatening disabilities;

9) filing a groundless Motion for Rule To Show Cause against Lawrence Newman;

10) driving the Newmans into financial ruination through obtaining multiple court orders for Lawrence Newman to attend court hearings at which he was disenfranchised by not being allowed to present his own motions for hearing;

11) influencing this Court to never hear Lawrence Newman's administrative expense Motions, in violation of York's sworn fiduciary duties to protect the interests of Estate creditor Lawrence Newman;

12) influencing this Court to issue an order restraining the Newmans from their Constitutional and statutory rights to sue York for his illegal acts against the Newmans;

13) arranging for the Estate to first pay creditors who are in lower priority to Lawrence Newman's administrative expenses;

14) conspiracy to defraud Lawrence Newman of his administrative expense claims, including his legal fees; and

15) habitually seeking to intimidate Lawrence and Dr. Newman as the key material witnesses in this cause, in violation of state and federal laws.

9. Critically, Judge Rosenberg signed each of York's proposed Rules To Show Cause immediately on the day following of York's filing of his respective Motions for Rule To Show Cause, notwithstanding York's animus, bias, and disability discrimination against the Newmans, and in consequence to Judge Rosenberg's own documented bias against the Newmans. As a result of these facts regarding animus, bias, and discrimination against the targets of the Rules To Show Cause, there are no grounds for this Court to consider York's subject proposed Order, and the entire framework of the Rules To Show Cause are part of the afore-referenced multi-pronged interstate criminal

conspiracy. It was obvious from the six-hour hearing on May 11, 2015, that York and all of the Florida opposing counsels appearing at said hearing had conspired to mutually achieve their goal, namely dismissal of the Estate's four Florida damage lawsuits and to inflict financial and professional harm upon the Newmans.

**YORK'S PROPOSED ORDER REQUIRING DR. BEVERLY NEWMAN TO
PERSONALLY APPEAR FOR HEARING VIOLATES THE
AMERICANS WITH DISABILITIES ACT.**

10. York's proposed Order states in pertinent part:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Beverly Newman shall personally appear before the Court at said time and place

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that pursuant to Ind. Code § 34-47-3-6, Beverly Newman is hereby notified that: (1) if she fails to appear in court at the time and place herein specified, ... the Court may proceed at once, and without any further delay, to attach and punish her for contempt

11. As is well known to York and to this Court, Dr. Beverly Newman never appeared personally before this Court since this estate proceeding was opened in October 2010, **seven years ago**, both during and after her tenure as Personal Representative, and has always appeared by telephone before this Court for hearings, because of her documented long-term life-threatening disabilities of extreme chemical sensitivities, severe allergies, and asthma.

12. In fact, Dr. Newman was removed as Personal Representative of the Estate of Al Katz pursuant to this Court's January 12, 2015, Order in large measure due to her medical inability to appear personally in court for hearings, in which Order this Court found in pertinent part in Paragraph 39:

Based upon the current status of this cause, the Court is confronted with the situation created by the Personal Representative that neither she nor any attorney on her behalf will appear in person at hearings conducted by the Court.

13. Even after Dr. Newman was removed as Personal Representative of the Estate, in large measure because of her medical inability to travel from Florida to Indianapolis to appear personally at hearings, Dr. Newman was allowed by this Court to appear telephonically at hearings, in particular, **the May 11, 2015, hearing which lasted six hours, from 3:00 PM until 9:00 PM.**

14. Of particular importance, this Court further found in Paragraph 37 of its January 12, 2015, Order, relative to Dr. Newman's inability to travel from Florida to Indiana to appear personally at Marion County court proceedings (emphasis added):

Pursuant to Rule 201(a)(C), the Court takes judicial notice that the Personal Representative is a plaintiff in her individual capacity in two other causes pending in Marion County, Indiana. Cause No. 49D04-0907-PL-0031786 (sic) [correct Cause No. 49D04-0907-PL-033786] and Cause No. 49D03-1408-MI-027872, filed on August 21, 2014. Since she is a plaintiff charged with the burden of proof in those causes, **it is presumed she intends to provide whatever accommodations are required by her to testify in open court in those causes and that those same accommodations could have been made by her in this cause.**

15. In fact, Dr. Newman settled Cause No. 49D04-0907-PL-033786 prior to trial. Cause No. 49D03-1408-MI-027872 did not require any court hearings. More importantly, a third litigation was initiated by Dr. Newman in 2010 in Marion County, which litigation was inexplicably not taken judicial notice of by this Court in its January 12, 2015, Order. In Cause No. 49D14-1010-PL-043302, a case that went to a three-day jury trial in which Dr. Newman appeared *pro se*, Dr. Newman requested **and the trial court granted her request to appear at and conduct *pro se* the jury trial** in Manatee

County from Florida **via Skype**. In fact, the entirety of the three-day jury trial was conducted via Skype as the trial court's reasonable accommodation for Dr. Newman's documented disabilities, pursuant to the Americans with Disabilities Act.

16. In said case, this Court's statement in its January 12, 2015, Order that **"it is presumed she intends to provide whatever accommodations are required by her to testify in open court in those causes and that those same accommodations could have been made by her in this cause"** was actually effected by Dr. Newman in Cause No. 49D14-1010-PL-043302 because that court was willing to obey federal Americans with Disabilities Act law and state and federal Constitutional requirements and provide Dr. Newman with reasonable accommodations in order for her to be able to access the Marion County courts and obtain her due process rights to litigate her claims on their merits despite her disabilities.

17. Contrarily, York's proposed Order demands:

(1) that this Court require Dr. Newman to appear personally in Marion County for hearing, although Dr. Newman has not been a party to this case for two years;

(2) for this Court to consequently refuse to provide reasonable accommodations for Dr. Newman's documented disabilities by permitting her to appear at hearing by remote electronic means, although Dr. Newman has not been a party to this case for two years; and

(3) that this Court violate the Americans with Disabilities Act, that this Court violate the Indiana Constitution, which guarantees Dr. Newman access to the courts of this state, and that this Court violate the United States Constitution,

which guarantees Dr. Newman's rights to due process of law, although Dr. Newman has not been a party to this case for two years.

18. Given York's knowledge of Dr. Newman's disabilities, of the history of this case, and of the requirements of law, York's proposed Order is the irrational result of a man driven by hatred and vengeance against the Newmans, and York's proposed Order should consequently be disregarded by this Court and stricken from the record of this cause.

**THIS COURT LOST ITS JURISDICTION OVER DR. BEVERLY NEWMAN
TWO YEARS AGO.**

19. As has been documented to this Court in previous filings herein, this Court lost its jurisdiction over Dr. Beverly Newman two years ago.

20. Beginning in 2015, York repeatedly **argued in his filings** to this Court and to the appellate courts that Dr. Beverly Newman was no longer a party to this cause and York obtained written judgments to that regard from this Court, the Indiana Court of Appeals, and the Indiana Supreme Court. Having obtained said judgments, which are *res judicata* and law of the case, York cannot now advocate to the contrary, as he does in his subject Proposed Order relative to Dr. Beverly Newman, **intentionally disregarding the written decisions of multiple courts** in this case, which Proposed Order should accordingly be disregarded by this Court and stricken from the record of this cause.

21. Upon motion by York, this Court on September 11, 2015, issued an "Entry" which stated (emphasis added):

On September 3, 2015, Beverly R. Newman filed a Motion for Immediate Discharge of the Successor Personal Representative. In that **Dr. Newman is no longer a party to these proceedings**, her filing is REJECTED.

22. Consequently, York's proposed Order to this Court against Dr. Newman is knowingly inducing this Court to transgress the law by exercising jurisdiction over a person whom this Court has lost its jurisdiction two years ago, in gross violation of law, in order to consummate the afore-referenced interstate criminal conspiracy by York and his co-conspirators.

23. York's proposed Order is at once both irrational and illegal and should be disregarded by this Court immediately as a **matter of law**; since this Court's loss of jurisdiction over Dr. Newman precludes it from issuing orders against Dr. Newman, irrespective of the fact that the fraudulent claim made by York that Dr. Newman has never filed her Second Final Accounting is a bald-faced lie, according to this Court's own docket.

24. After this Court ruled in September 2015 that Dr. Beverly Newman "is no longer a party to these proceedings," thereby causing Dr. Newman to lose her standing in this matter and consequently causing this Court to lose its jurisdiction over her, Dr. Newman's status as a non-party was subsequently and separately affirmed by both the Indiana Court of Appeals and the Indiana Supreme Court, all of which consistent rulings, by three separate courts in the State of Indiana, have been intentionally disregarded by York in his irrational and illegal proposed Order to this Court.

25. York never filed an appeal of said Entry, which is now final under the doctrine of *res judicata*.

26. York himself solicited the subject ruling by this Court confirming its loss of jurisdiction over Dr. Beverly Newman in York's "**Objection Based upon Lack of**

Standing” filed in this cause on June 2, 2015, in which York vociferously argued in said five-page filing, in Paragraph 15 of said Objection, as follows:

Beverly lost her standing as an estate fiduciary as of January 12, 2015. She did not seek a stay of the removal Order and did not appeal. She has no standing to request any remedy from the Court in her former representative capacity.

27. In Paragraph 16 of said Objection, York further argued against Dr. Newman’s individual standing in this case:

Although it is likely that Beverly will assert that she is now appearing in her individual capacity, *Old National [Old National Bancorp v. Hanover College, 15 N.E.3d 574 (Ind. 2014)]* puts end to that assertion in short work.

28. After Dr. Newman filed an appeal on June 11, 2015, of this Court’s January 12, 2015, Order, which removed her as Personal Representative of the Estate of Al Katz, York on July 13, 2015, filed his “**Verified** Motion To Dismiss” in the Indiana Court of Appeals, in which **York, under oath, raised numerous objections to Dr. Newman’s standing to prosecute the Appeal.** On August 21, 2015, the Court of Appeals issued an Order dismissing Dr. Newman’s Appeal with prejudice without considering the Appeal on its merits **by granting York’s “Verified Motion To Dismiss,”** based upon Dr. Newman’s lack of standing.

29. On December 8, 2015, Dr. Newman filed a Petition To Transfer to the Indiana Supreme Court, which Petition was vehemently opposed by York on the basis of **Dr. Newman’s lack of standing**, and her Petition To Transfer was ultimately denied by the Indiana Supreme Court.

30. Since Dr. Beverly Newman's lack of standing to appear before this Court has been upheld by both the Indiana Court of Appeals and the Indiana Supreme Court, **said ruling is now *res judicata* and the law of the case.**

31. Consequently, this Court lost its jurisdiction over Dr. Beverly Newman years ago, and York's proposed Order should consequently be disregarded by this Court and stricken from the record of this cause.

BOTH RULES TO SHOW CAUSE ARE NOW MOOT.

32. At hearing on July 21, 2017, York requested that this Court set for hearing the two Rules To Show Cause issued by Judge Rosenberg. At hearing, Lawrence T. Newman objected, stating that both Rules To Show Cause are now moot. Upon examination of the record in this Cause, it is established and documented that the "Rule To Appear and Show Cause Regarding December 9, 2015, Order Pertaining to Estate's Ritter Property" is now moot. In this respect, Robert W. York reported to this Court at the March 13, 2017, Pretrial Conference that Matthew Evans' then-reluctance to complete the purchase of the Ritter Property was based upon Mr. Evans' possibly finding new employment and upon the rising crime rate near the geographical area of the Ritter Property; Mr. York did not report to this Court any reluctance by Mr. Evans to complete the purchase of the Ritter Property based upon actions by the Newmans. Further, Mr. Evans has since signed a new agreement to purchase the Ritter Property, which fact establishes that he was not influenced by the Newmans to forego purchase of the Ritter Property. Accordingly, the "Rule To Appear and Show Cause Regarding December 9, 2015, Order Pertaining to Estate's Ritter Property" is now moot.

33. Further, upon examination of the record in this Cause, it is established and documented that the “Rule To Appear and Show Cause relative to the Second Final Accounting” is now moot. In this respect, said Rule states in pertinent part as follows (emphasis added):

Having read and examined the petition and in accordance with Ind. Code § 34-47-3-5, **the Court now finds as follows:** 11. Beverly was required to file Second Final Account (sic) no later than October 9, 2015, and **she has not filed her Second Final Accounting.**

34. The CCS of this case establishes and documents that on August 13, 2015, Dr. Beverly Newman filed a “Verified Tender of Supplement to Verified Final Accounting of Beverly R. Newman, Ed.D., *Pro Se.*” Accordingly, this Court’s finding in the subject Rule To Show Cause that Dr. Beverly Newman “has not filed her Second Final Accounting” is erroneous and untrue. Furthermore, the CCS and record of this case establishes and documents that this Court’s statement at the July 21, 2017, hearing that this Court had at some point in time rejected Dr. Newman’s subject August 13, 2015, filing is similarly erroneous and untrue, as the CCS documents that **this Court has never reject said filing**, which filing remains the only accounting in this entire Estate, for which York has never filed an accounting in well over 2 ½ years. Accordingly, the “Rule To Appear and Show Cause relative to the Second Final Accounting” is now moot.

YORK’S PROPOSED ORDER SHOULD BE STRICKEN FROM THE RECORD.

35. As documented above, there is no legal basis for York to have submitted to this Court his proposed Order Setting Hearing on Rules To Show Cause. York’s proposed Order is illegal as a matter of law and irrationally seeks for Dr. Newman to be “attached” for purportedly failing to file a second accounting, which purported failure is a

bald-faced lie that York has persistently represented to this Court in order to induce it to irreparably harm and/or kill Dr. Newman by forcing her to appear in person before this Court in accordance with York's interstate conspiracy. York's express desire to "attach" Dr. Newman is indicative of a man driven by hatred and vengeance. Who would "attach" a disabled elder for alleged failure to file a second final accounting? Who would "attach" a disabled elder in order to make her deathly ill or kill her? York's misconduct in this case has consistently demonstrated disability discrimination and gender discrimination against Dr. Beverly Newman. Consequently, and due to the false and scandalous matter which appears in said proposed Order, York's proposed Order should be disregarded by this Court and stricken from the record of this cause.

WHEREFORE, Lawrence T. Newman, *Pro Se*, hereby respectfully requests that this Court disregard Robert W. York's proposed Order Setting Hearing on Rules To Show Cause and strike said proposed Order from the record of this cause, and for all other relief just and proper in the premises.

Respectfully submitted,

/s/Lawrence T. Newman
Lawrence T. Newman, *Pro Se*
c/o 4102 66th Street Circle West
Bradenton, FL34209
(317) 397-5258

CERTIFICATE OF SERVICE

I hereby certify that the forgoing has been served upon the following by email this 1st day of August, 2017:

Robert W. York
rwyork@york-law.com

Internal Revenue Service, c/o Yvette Stiger
yvette.stiger@irs.gov

John S. Phillipp, Office of the Indiana Attorney General
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/s/Lawrence T. Newman
Lawrence T. Newman, *Pro Se*

Kathleen Fagan, MD, MPH
902 Elmcroft Blvd.
Rockville, MD 20850

June 12, 2013

RE: Beverly Newman, Ed. D.

To Whom It May Concern,

I am a physician with Board Certification in Occupational Medicine and practiced in Ohio for 25 years before moving to Maryland. In Ohio, I served on the board of an advocacy and support group for persons with multiple chemical sensitivities called Ohio Network for the Chemically Injured (ONFCI). Dr. Newman also served on ONFCI's board with me. Dr. Newman has multiple chemical sensitivities (MCS). MCS is a syndrome characterized by the following:

- The symptoms are reproducible with repeated chemical exposure;
- The condition is chronic;
- Low levels of chemical exposures produce the symptoms of the syndrome;
- Symptoms improve or resolve when the inciting exposures are removed;
- Responses occur to multiple chemically unrelated substances; and
- Symptoms involve multiple organ systems.

(Watanabe et al. 2003)

The pathologic mechanism that causes MCS has not been determined. Similar to those with severe allergies, persons with MCS are "advised to avoid places or situations in which they might encounter chemical fumes or odors". (Watanabe 2003) Travel is likely to aggravate symptoms due to unexpected exposures to chemicals and fumes. Dr. Newman has found that her illness is better controlled if she does not travel. She is better able to control her exposures and avoid exposures that would aggravate her symptoms.

I hope this is helpful in explaining Dr. Newman's illness and inability to travel.

Sincerely,



Kathleen Fagan, MD, MPH

Reference: Watanabe M, Tonori H, Aizawa Y. Multiple Chemical Sensitivity and Idiopathic Environmental Intolerance. *Env Hlth Prev Med*, 2003; 7:273-282.

EXHIBIT 1

**Sam J. Sugar, MD, FACP
20808 NE 37th Avenue
Aventura, Florida 33180**

Office of the Court Administrator
Room T-1221
City-County Building
200 East Washington Street
Indianapolis, IN 46204

4/17/2015

Dear Marion County Courts:

It has come to my attention that a disabled senior citizen in the Marion County courts, Beverly R. Newman, has been ordered to personally appear in court despite her repeated requests to the Marion County courts for reasonable accommodations for her disabilities which include life-threatening asthma, allergies, and chemical sensitivities.

Ms. Newman is anxious to comply with the wishes of the court. I have been advised that she has requested a reasonable accommodation pursuant to the Americans with Disabilities Act to appear in court remotely by telephone, Skype, or some other electronic means. Due to Beverly Newman's medical disabilities, that are known to be life-threatening and incurable, it is my professional medical opinion as a Physician licensed to practice Medicine in all its branches in the States of Florida and Illinois and a Board-Certified Specialist in Internal Medicine that the toxic exposures present in public places where she would be forced to be in order to travel from Florida to Indiana are likely to jeopardize her health and constitute unacceptable risks to her well-being.

The presence of such common allergens and pollutants as perfumes, gasoline fumes, molds, second-hand smoke, air fresheners, and ordinary cleaning products is likely to obstruct Beverly Newman's breathing and must be avoided by her. These are serious, complex disabilities that greatly restrict the lives of the persons they affect, and they should be accommodated however feasible as per the Americans with Disabilities Act.

Environmental illness can cause permanent damage to multiple organ systems and/or death. Therefore, it is my considered professional opinion that Beverly Newman, a disabled person, should not travel from Florida to Indiana or any other long distances and that Beverly Newman should be granted the full protections of the Americans with Disabilities Act.

Thank you.

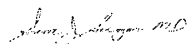


EXHIBIT 2